

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 07-2004)		ATTORNEY'S DOCKET NUMBER <b>FC-11-PUS</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/521162</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/US2003/021706</b>	INTERNATIONAL FILING DATE <b>11 July 2003 (11.07.04)</b>	PRIORITY DATE CLAIMED <b>17 July 2002 (17.07.02)</b>	
TITLE OF INVENTION <b>FLEA AND TICK OCTOPAMINE RECEPTOR NUCLEIC ACID MOLECULES, PROTEINS AND USES THEREOF</b>			
APPLICANT(S) FOR DO/EO/US <b>Kevin S. Brandt</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (<b>unexecuted, 3 sheets</b>)</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>			
<b>Items 13 to 23 below concern document(s) or information included:</b> <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. (<b>14 sheets</b>)</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <u><b>EV 322825590 US</b></u></li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol>			
<b>Transmittal Letter (2 sheets in duplicate); Transmittal Letter for Sequence Listing along with Sequence Listing Diskette attached (34 sheets); PCT International Published application (WO 2004/009762 A2) (with International Search Report attached(77 sheets); Certificate of Express Mailing (1 sheet); and return postcard</b>			

U.S. APPLICATION NO (if known, see 37 CFR 1.5)  
**10/521162**INTERNATIONAL APPLICATION NO.  
PCT/US2003/021706ATTORNEY'S DOCKET NUMBER  
FC-11-PUS

24. The following fees are submitted.:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :**

- |  |           |
|--|-----------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... | \$1110.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....   | \$950.00  |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....   | \$790.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....   | \$750.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....   | \$100.00  |

**CALCULATIONS PTO USE ONLY****ENTER APPROPRIATE BASIC FEE AMOUNT =****\$790.00**Surcharge of **\$130.00** for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). 20     30**\$0.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	20 - 20 =	0	x \$18.00	<b>\$0.00</b>
Independent claims	11 - 3 =	8	x \$88.00	<b>\$704.00</b>
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,494.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$747.00</b>
<b>SUBTOTAL =</b>				<b>\$747.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).				<input type="checkbox"/> 20 <input type="checkbox"/> 30 + <b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>				<b>\$747.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/> <b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>				<b>\$747.00</b>
				<b>Amount to be:</b>
				<b>refunded</b> <b>\$</b>
				<b>charged</b> <b>\$</b>

- A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- Please charge my Deposit Account No. 081930 in the amount of \$747.00 to cover the above fees.
- The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 081930
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

USPTO Customer Number 26949

Heska Corporation

Intellectual Property Dept.

1613 Prospect Parkway

Fort Collins, CO 80525

United States of America

Telephone: (970) 493-7272

Facsimile: (970) 491-9976



SIGNATURE

**Richard J. Stern, Ph.D.**

NAME

**50,668**

REGISTRATION NUMBER

**13 January 2005**

DATE

10/521162

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Kevin S. Brandt

DTI2 Rec'd PCT/PTO

Pocket No.

15 JAN 2005

FC-11-PUS

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit
	13 January 2005		26949	

Invention: **FLEA AND TICK OCTOPAMINE RECEPTOR NUCLEIC ACID MOLECULES, PROTEINS AND USES THEREOF**

I hereby certify that the following correspondence:

Transmittal Letter to DO/EO/US (2 pages); PCT Int'l Published Application WO 2004/009762 A2 (77 pages); International Search Report (8 pages); Sequence Listing (34 pages); Transmittal Letter for Sequence Listing along with Sequence Listing Diskette (1 page); First Preliminary Amendment (14 pages) Certificate of Mailing by "Express Mail" (1 page); Declaration and Power of Attorney, unexecuted (3 pages); acknowledgment postcard

*(Identify type of correspondence)*

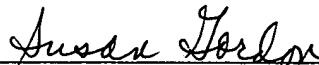
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

13 January 2005

*(Date)*

Susan Gordon

*(Typed or Printed Name of Person Mailing Correspondence)*



*(Signature of Person Mailing Correspondence)*

EV 322825590 US

*("Express Mail" Mailing Label Number)*